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PATENT  
Attorney Docket No. 463037-000219/A-68718-3/RFT/RMS/RMK

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 20 2002

TECH CENTER 1600/2900

In re application of

DOUNG *et al.*

Serial No.: 09/904,175

Filed: July 11, 2001

For: *Devices and Methods for  
Biochip Multiplexing*

Group No. 1634

Examiner: Betty J. Forman

## CERTIFICATE OF MAILING

I hereby certify that this correspondence, including  
listed enclosures is being deposited with the United  
States Postal Service as First Class Mail in an  
envelope addressed to: Commissioner for Patents,  
Washington, DC 20231 on:

Date:

December 19, 2002

Signature

Mary M. Farland

## REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(b)

Commissioner for Patents  
Washington, DC 20231

Sir:

The present request is being filed to amend inventorship in the above identified case pursuant to CFR 1.48(b). Pursuant to 37 C.F.R. § 1.48(b), Applicants assert that during the prosecution of the above identified application, amendments and/or cancellation of the originally pending claims resulted in a situation where fewer than all of the originally named inventors are now actual inventors of the invention being claimed. Specifically, election of the claims of Group I resulted in a situation where Hau H. Duong, Gary Blackburn, Gary T. Olsen, Robert Pietri, Nathan Swami and Robert H. Terbrueggen are no longer inventors of the claimed subject matter. Accordingly, Applicants acknowledge that that the inventions made by Hau H. Duong, Gary Blackburn, Gary T. Olsen, Robert Pietri, Nathan Swami and Robert H. Terbrueggen are no

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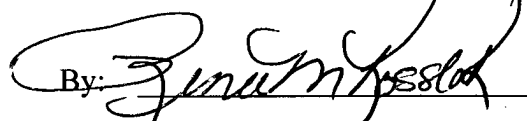
longer claimed in this application. Accordingly, Applicants request that Hau H. Duong, Gary Blackburn, Gary T. Olsen, Robert Pietri, Nathan Swami and Robert H. Terbrueggen be deleted as co-inventors on this application.

A check in the amount of \$130.00 for the petition fee required under 37 C.F.R. § 1.17(i) is enclosed. The Commissioner is authorized to charge any additional fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 463037-219[A-68718-3/RFT/RMS/RMK]).

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: 12/11/02

By: 

Four Embarcadero Center  
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Fax No. (415) 398-3249

Renee M. Kosslak, Reg. No 47,717  
for Robin M. Silva, Reg. No. 38,304  
Filed under 37 C.F.R. § 1.34(a)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

First Named Inventor :	<b>KAYYEM, et al.</b>	DEC 20 2002
Appln. No. :	<b>09/904,175</b>	TECH CENTER 1600/2900
Filed :	<b>July 11, 2001</b>	Group Art Unit: <b>1634</b>
Title :	<b>DEVICES AND METHODS FOR BIOCHIP MULTIPLEXING</b>	Examiner: <b>Betty J. Forman</b>

**DECLARATION FOR UTILITY PATENT APPLICATION**  
(37 C.F.R. § 1.63)

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**DEVICES AND METHODS FOR BIOCHIP MULTIPLEXING**

the specification of which:

☐ is attached hereto OR

☒ was filed on July 11, 2001 as United States Application Number 09/904,175 or PCT International Application Number and amended on October 16, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
PCT/US01/01150	PCT	01/11/2001	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)
60/175,539	01/11/2000
60/245,840	11/03/2000

I hereby claim priority under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

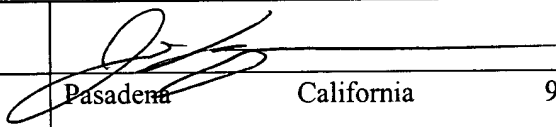
Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
09/760,384	01/11/2001	Pending

PLEASE DIRECT ALL CORRESPONDENCE TO:

The address associated with **Customer Number: 32940**, currently:

Name	Robin M. Silva
Address	DORSEY & WHITNEY LLP Four Embarcadero Center Suite 3400 San Francisco, California 94111-4187
Telephone	(415) 781-1989
Fax	(415) 398-3249

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Sole or First Inventor:</b>			
Given Name (First and middle)		Family Name or Surname	
Jon F.		KAYYEM	
Inventor's Signature			Date: 11/18/02
Residence	Pasadena California 91103	Citizenship: USA	
	City State Zip		
Post Office Address	1137 Parkview Avenue Pasadena, California 91103		

<b>Second Inventor:</b>			
Given Name (First and middle)		Family Name or Surname	
Steven D.		O'CONNOR	
Inventor's Signature			Date:
Residence	Pasadena California 91104	Citizenship: USA	
	City State Zip		

I hereby claim priority under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
09/760,384	01/11/2001	Pending

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<b>Sole or First Inventor:</b>			
Given Name (First and middle)			Family Name or Surname
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Inventor's Signature			Date:
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	City State Zip		
Post Office Address	1000 Buena Vista Pasadena, California 91030		

<b>Second Inventor:</b>			
Given Name (First and middle)			Family Name or Surname
Steven D.			O'CONNOR
Inventor's Signature			Date: 11/27/02
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	City State Zip		
Post Office Address	1892 Galbreth Road Pasadena, California 91104		